

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD.,

Plaintiff,

v.

**T-MOBILE US, INC. and
T-MOBILE USA, INC.,**

Defendants,

**NOKIA SOLUTIONS AND NETWORKS
US LLC and NOKIA SOLUTIONS AND
NETWORKS OY, and
TELEFONAKTIEBOLAGET LM
ERICSSON, and ERICSSON INC.,**

Intervenors.

Civil Action No. 2:16-cv-00057-JRG-RSP

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND FIFTH AMENDED DOCKET CONTROL ORDER

Plaintiff Huawei Technologies Co. Ltd., Defendants T-Mobile US, Inc. and T-Mobile USA, Inc., and Intervenors Nokia Solutions and Networks US LLC, Nokia Solutions and Networks Oy, Telefonaktiebolaget LM Ericsson, and Ericsson Inc., by and through their undersigned counsel, hereby respectfully move to amend the Fifth Amended Docket Control Order as proposed in the Sixth Amended Docket Control Order hereby submitted.

The changes requested in this motion are to (1) move the deadline to serve disclosures for rebuttal expert witnesses from June 26, 2017 to June 30, 2017 (four days); (2) move the deadline to complete expert discovery from July 12, 2017 to July 17, 2017 (five days); and (3) move the deadline to file dispositive motions or motions to strike expert testimony

(including *Daubert* motions) from July 17, 2017 to July 21, 2017 (four days). All other case deadlines remain unchanged and all parties agree to these requested extensions.

Modifying the deadline for dispositive motions or motions to strike expert testimony (including *Daubert* motions) requires a showing of good cause. The parties hereby submit that good cause exists because expert reports have been delayed by an unforeseen injury to one the parties' experts, and the parties received the Court's claim construction order in the -57 case on June 22. In addition, the parties need to schedule and complete a large number of expert depositions in the next three weeks, which is complicated by the existence of the intervening July Fourth holiday. The parties wish to complete the expert depositions before the deadline for dispositive motions or motions to strike expert testimony.

The extension requested will allow the parties more time to incorporate the Court's order into their respective expert reports, as well as to allow time to challenge the opinions contained in the reports via motions to strike and the sufficiency of the evidence in light of the claim constructions via dispositive motions. Accordingly, the parties respectfully request that the Court grant this jointly requested amendment to the Docket Control Orders.

Dated: June 22, 2017

Respectfully submitted,

/s/ Jane Du

(by E. Glenn Thames, Jr., with permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served via electronic mail on June 22, 2017 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ E. Glenn Thames, Jr.

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